

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Marsh et al.  
Application No.: 10/820,186  
Filed: April 7, 2004  
For: CUSHIONING DEVICE FOR FURNITURE

Confirmation No.: 7421  
Group Art Unit: 3676  
Examiner: Carlos Lugo

Date: September 7, 2007

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

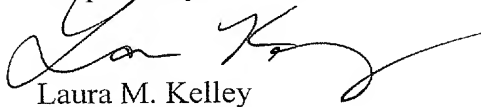
**NOTICE OF APPEAL TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Sir:

Pursuant to 35 USC § 134, 37 CFR § 41.31, and MPEP § 1205, the Applicant in the above-identified patent application hereby appeals to the Board of Patent Appeals and Interferences from the Office Action dated May 7, 2007 at least twice rejecting or finally rejecting claims 1, 4-11, 13 and 14.

- ☒ **Applicant claims small entity status. See 37 CFR § 1.27.**
- ☐ Please first reapply any previously paid notice of appeal fee and appeal brief.
- ☐ Payment by credit card is requested. Form PTO-2038 is attached.
- ☐ A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.
- ☒ Also enclosed: Reason In Support of Applicants' Pre-Appeal Brief Request For Review.
- ☒ The Commissioner is authorized to charge the Notice of Appeal Fee of \$500.00, and any additional fees that may be required or credit any overpayment to Deposit Account No. 50-0220.

Respectfully submitted,

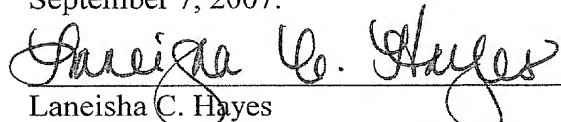
  
Laura M. Kelley  
Registration No. 48,441

Myers Bigel Sibley & Sajovec, P.A.  
P. O. Box 37428  
Raleigh, North Carolina 27627  
Telephone: (919) 854-1400  
Facsimile: (919) 854-1401  
Customer No. 20792

In re: Marsh et al.  
Serial No.: 10/820,186  
Filed: April 7, 2004  
Page 2 of 2

**CERTIFICATION OF TRANSMISSION**

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on September 7, 2007.

  
\_\_\_\_\_  
Laneisha C. Hayes  
Date of Signature: September 7, 2007